

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JACKIE TAYLOR,)	CASE NO. 5:10cv2933
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	MEMORANDUM OF OPINION AND
)	ORDER
SHERRI BEVAN-WALSH, et al,)	
)	
)	
DEFENDANTS.)	

On December 29, 2010, plaintiff *pro se* Jackie Taylor, an inmate at the Richland Correctional Institution, filed this 42 U.S.C. § 1983 action against Summit County Prosecutor Sherri Bevan-Walsh and Summit County Common Pleas Judge Thomas A. Teodosio. The complaint alleges defendants violated plaintiff's constitutional rights in connection with a weapon under disability charge of which he was acquitted.

A district court is expressly required to dismiss any civil action filed by a prisoner seeking relief from a governmental officer or entity, as soon as possible after docketing, if the court concludes that the complaint fails to state a claim upon which relief may be granted, or if the plaintiff seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A; *Siller v. Dean*, No. 99-5323, 2000 WL 145167, at * 2 (6th Cir. Feb. 1, 2000).

Defendants are absolutely immune from liability for actions taken within the scope of their official duties. *Pierson v. Ray*, 387 U.S. 547 (1967) (judges); *Imbler v. Pachtman*, 424 U.S. 409 (1976) (prosecutors). There is no reasonable suggestion in the

complaint that defendants acted outside the scope of their official duties in connection with plaintiff's prosecution.

In light of the foregoing, this action is dismissed under 28 U.S.C. § 1915A. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: February 1, 2011


HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE